

## RESOLUTION NO. A-\_\_\_\_\_

## SPECIAL PERMIT NO. 1825A

1 WHEREAS, KK&G, Inc. has submitted an application designated as Special  
2 Permit No. 1825A for authority to amend the Prairie View Estates Community Unit Plan to  
3 create 34 lots and one outlot with the option of nine attached townhouse units and 25  
4 unattached single family units or 34 unattached single family units; and requesting an  
5 adjustment of the front yard setback along West "A" Street for Lots 3, 4, and 5, Block 2; a  
6 waiver of the requirement of §26.27.020 of the Lincoln Municipal Code that sidewalks be  
7 installed along the east side of S.W. 11th Street between West Washington and West  
8 Grassland Lane, along the south side of West Grassland Place, and along the south side  
9 of West Washington Street west of S.W. 11th Street; for a waiver of the requirement of  
10 Design Standards that sidewalks be located four feet from a private roadway to allow  
11 sidewalks located on the east side of S.W. 10th Street south of Grassland Place and the  
12 east side of S.W. 11th Street south of Grassland Lane to be constructed adjacent to the  
13 roadway; on property located at S.W. 10th Street and West "A" Street, and legally  
14 described to wit:

15 Lots 149, 151, and 230 Irregular Tracts, located in the  
16 Northwest Quarter of Section 34, Township 10 North, Range  
17 6 East of the 6th P.M., Lancaster County, Nebraska;

18 WHEREAS, the real property adjacent to the area included within the site  
19 plan for this community unit plan will not be adversely affected; and

20 WHEREAS, said site plan together with the terms and conditions hereinafter

1 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal  
2 Code to promote the public health, safety, and general welfare.

3 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
4 Lincoln, Nebraska:

5 That the application of KK&G, Inc., hereinafter referred to as "Permittee", to  
6 amend the Prairie View Estates Community Unit Plan to create 34 lots and one outlot with  
7 the option of nine attached townhouse units and 25 unattached single family units or 34  
8 unattached single family units on the property legally described above, be and the same  
9 is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the  
10 Lincoln Municipal Code upon condition that construction and operation of said community  
11 unit plan be in strict compliance with said application, the site plan, and the following  
12 additional express terms, conditions, and requirements:

13 1. This permit approves:

14 a. 34 dwelling units.

15 b. The requirement of § 26.27.020 of the Lincoln Municipal Code  
16 that sidewalks be installed along both sides of the streets  
17 within Prairie View Estates is hereby waived along the east  
18 side of S.W. 11th Street between W. Washington and W.  
19 Grassland Lane, along the south side of W. Grassland Place,  
20 and along the south side of W. Washington west of S.W. 11th  
21 Street.

22 c. The requirement of the Design Standards that sidewalks be  
23 located four feet from a private roadway is waived to allow

sidewalks located on the east side of S.W. 10th Street south from W. Grassland Place and along the east side of S.W. 11th Street south from Grassland Lane to be constructed adjacent to the roadway.

- d. An adjustment to the front yard setback along West "A" Street for Lots 3, 4, and 5, Block 2, as shown on the site plan.

2. Before receiving building permits:

- a. The Permittee must submit a revised and reproducible final plan including five copies of the approved plans.
- b. The construction plans must conform to the approved plans.
- c. Final plats within this community unit plan must be approved by the City.

3. Before occupying the dwelling units all development and construction must be completed in conformance with the approved plans.

4. All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.

5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

1                   7.     The Permittee shall sign and return the City's letter of acceptance to  
2 the City Clerk within 30 days following approval of the special permit, provided, however,  
3 said 30-day period may be extended up to six months by administrative amendment. The  
4 City Clerk shall file a copy of the resolution approving the special permit and the letter of  
5 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the  
6 Permittee.

7                   8.     This approval voids and rescinds Special Permit No. 1825.

Introduced by:

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Approved as to Form & Legality:

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City Attorney

Staff Review Completed:

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Administrative Assistant